

UNITED STATES OF AMERICA)
)
v.) Case No. 4:12-cr-5
)
JOHN BRANDON MARSH)

Magistrate Judge Susan K. Lee filed a report and recommendation recommending the Court:

(1) grant Defendant's motion to withdraw his not guilty plea to Count One of the three-count Indictment; (2) accept Defendant's plea of guilty to Count One of the Indictment; (3) adjudicate Defendant guilty of the charges set forth in Count One of the Indictment; (4) defer a decision on whether to accept the plea agreement until sentencing; and (5) find Defendant shall remain in custody until sentencing in this matter [Doc. 142]. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 142] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

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- (5) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **Monday, October, 15, 2012 at 2:00 p.m.** before the Honorable Harry S. Mattice, Jr.

SO ORDERED.

ENTER:

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE